

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO  1437 Bannock Street Denver, CO 80202 <hr/> PEOPLE OF THE STATE OF COLORADO,  Plaintiff,  v.  JASON T. BROOKS, DOB: 05/24/1979 DONALD SCOTT CAREW, DOB: 03/30/1972 Defendants.	<div style="text-align: center;"> <b>▲ COURT USE ONLY ▲</b> </div>
JOHN W. SUTHERS, Attorney General MICHAEL J. BELLIPANNI, Assistant Attorney General* 1525 Sherman Street, 7 <sup>th</sup> Floor Denver, CO 80203 303-866-3416 Registration Number: 24421 *Counsel of Record	Case No.: 08CR0001
<b>COLORADO STATE GRAND JURY INDICTMENT</b>	

Of the 2008-2009 term of the Denver District Court in the year 2009; the 2008-2009 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

### **ESSENTIAL FACTS**

Jason Trevor Brooks (BROOKS) founded, owned and operated a business which he called Genius, Inc. Beginning in or about June of 2005, in Colorado, BROOKS represented to investors, that he had a distribution agreement with Matsushita Electric Industrial Co., Ltd. (hereafter “Matsushita”) a multinational company based in Japan, which allowed him to purchase electronics and appliances as a distributor. On or about January 1, 2006, JASON BROOKS registered “Genius, Inc.” with the Colorado Secretary of State while continuing to solicit money from investors, ostensibly to purchase electronics and appliances from Matsushita in order to supply his “customers” which, according to BROOKS, consisted of various home builders and other businesses, with needed electronics and appliances.

The solicitation for the investments was premised upon the representation that BROOKS possessed a “Master Purchase Agreement” with Matsushita. BROOKS

represented that this agreement enabled BROOKS to purchase televisions and other electronics and appliances at a very low or wholesale rate. BROOKS told investors and agents that he had a large number of shipments of Matsushita products being sent to a number of home builders and businesses which formed the base of Genius, Inc.'s "customers." The money collected from investors was to be sent to Matsushita to purchase the products, which would then be shipped to the "customers." The funds paid by the "customers" for the purchases were to be held in escrow until delivery of the products. When the shipment reached the "customer," the escrowed funds would be released to BROOKS and Genius, Inc., resulting in high rates of return for the investors. In fact, less than five percent of investor funds were actually used to purchase electronics and appliances. The vast majority of investor funds were used by JASON BROOKS for personal expenses, gambling, and to make "interest payments" and payouts to other investors.

During and between June, 2005 and February, 2008, BROOKS solicited investors both individually and on behalf of Genius, Inc. for funds which were to be used for electronics and appliances purchases. Dozens of investments were made directly or indirectly through BROOKS, in the amount of approximately ten million dollars, in Colorado primarily in Weld, Larimer, Broomfield and Boulder counties.

BROOKS also solicited and accepted investments from individuals from several other states, including: Florida, California, Texas, Massachusetts, Georgia, South Carolina, New York, Wisconsin, Minnesota, New Mexico Connecticut, Arizona, Washington, Ohio, and the Virgin Islands. The funds for these out-of-state investors were deposited, either by BROOKS or through wire transfer by the individual investors, directly into one of BROOKS' Colorado bank accounts, held in the Larimer, Boulder, Weld and Jefferson Counties, in Colorado. BROOKS solicited and directed investments from out-of-state investors into his Colorado bank accounts, resulting in investor losses of several million dollars.

BROOKS conducted business primarily from his residences. Until approximately July or August of 2005, BROOKS resided at 713 Bentley Place in the city of Fort Collins, located in Larimer County. From approximately August of 2005 until April of 2006, BROOKS lived, and conducted his business primarily from 1995 E. Colton #33-106, in the city of Superior, located in Boulder County. In or about April of 2006, BROOKS relocated to and conducted the business of Genius, Inc. from 1036 Greens Pl. in Erie, located in Weld County. All three residences are in the state of Colorado.

Throughout the course of the enterprise, Brooks enlisted several associates to act as representatives and agents of Genius, Inc.; including Donald Scott Carew (hereafter "CAREW") These agents were given substantially the same information as the investors concerning the business of Genius, Inc. by BROOKS. The primary function of these agents was to solicit investments from individuals by promising an agreed upon return payable in a short period of time. The funds would be passed directly to

BROOKS, or deposited into a bank account under BROOKS' control. In exchange for gaining investor funds for Genius, Inc. and BROOKS, these agents were given or promised a percentage of the investment return or other inducement by BROOKS.

In conjunction with BROOKS and Genius, Inc., CAREW formed Genius Deals, Inc. (hereafter GDI) which he registered with the Colorado Secretary of State in January of 2006. CAREW entered into an operating agreement with BROOKS outlining the allocation of investment funds acquired by BROOKS and CAREW and their respective corporations.

Individually, and through his agents, including CAREW, BROOKS solicited and accepted single investments as well as multiple investment amounts from individuals and entities ranging from five thousand dollars (\$5,000) to approximately one million dollars (\$1,000,000). Some of the investors received a promissory note or agreement signed by BROOKS, CAREW, or an agent of Genius, Inc. which promised to pay investors their principal investment amount plus interest. Payment terms ranged from a percentage of the principal to a fixed amount, and payment schedules provided varying timeframes, normally between twenty one days and one month. BROOKS represented that the principal and interest would be payable at the end of the term ("final payment" date) at which time the investor had the option of taking payment or reinvesting into the next opportunity. Most investors received interest payments at the end of the term and reinvested their principal. Some investments were made for longer time periods, with promised returns to be paid periodically, or terms provided that the interest would be rolled into the investment, prior to the final payment date.

In soliciting investors, BROOKS directly and indirectly made material, untrue statements and omissions of material facts including, but not limited to the following: BROOKS indicated that the Matsushita Master Purchase Agreement was one of only a few such agreements in the world, this allowed him to purchase products which he could sell, on a large scale, for a price significantly higher than his purchase price; BROOKS indicated that the investment funds would be sent to Matsushita as payment for the products; BROOKS indicated that upon delivery of the product, the customer funds, already in escrow, would be released to Genius, Inc., providing an amount of money sufficient to repay the investor principal as well as a profit to both BROOKS and the investor within approximately four weeks; BROOKS indicated that Genius, Inc. provided products secured through the Master Purchase Agreement to various homebuilders such as Standard Pacific Homes, KB Homes, Centex Homes and Hollis Development; BROOKS indicated that the investment involved little, if any, risk.

BROOKS represented to his agents and investors that the Matsushita Master Purchase Agreement was very valuable. BROOKS represented that the agreement enabled him to purchase products which he could sell, on a large scale, for a price substantially higher than his purchase price. BROOKS did not disclose to any investor the fact that

he had not actually secured such a contract with Matsushita and that no such third party agreement with Matsushita existed.

BROOKS indicated that the investment funds would be sent to Matsushita as payment for the products. BROOKS omitted to state to investors that the majority of investor funds were used by BROOKS for personal expenses, gambling, and to make “interest payments” and payouts to other investors. In fact, an examination of his accounts shows approximately one hundred thousand dollars (\$100,000) in total electronics and appliances purchased from the time period of June, 2005 until February of 2008, no payments to Matsushita and no regular monthly disbursements to any other electronics or appliance companies during the period of solicitation.

BROOKS indicated that he, individually, and through Genius, Inc. provided products secured through the Master Purchase Agreement to various homebuilders such as Standard Pacific Homes, KB Homes, Centex Homes, and Hollis Development. BROOKS indicated that upon delivery of the product, the customer funds held in escrow, would be released to BROOKS and Genius, Inc., providing an amount of money sufficient to repay the investor principal as well as a profit to both BROOKS and the investor within approximately four weeks. In fact, an examination of his accounts shows no disbursements to BROOKS or Genius, Inc. from any escrow accounts held by any major homebuilders or other businesses. The examination of his accounts shows that the primary source of funds for deposits into BROOKS’ accounts was investor funds.

BROOKS indicated that the investment had little, if any, risk. BROOKS failed to disclose the actual risks of the investment, which were substantial. BROOKS told the investors that there was little or no risk of loss, indicating that their money would be used to fund the purchase of electronics and appliances.

As payments to investors exceeded incoming investment funds, BROOKS omitted telling investors of his true financial status as well as the true financial status of Genius, Inc. Further, BROOKS omitted telling later investors that he was having difficulty paying off previous investors, and that he was issuing checks to previous investors without sufficient funds to pay them.

CAREW, individually and in conjunction with BROOKS, solicited investors on behalf of GDI. In his solicitations, CAREW made material, untrue statements and omissions of the above stated facts. Additionally, CAREW indicated to investors that the Matsushita Master Purchase Agreement was an agreement between GDI and Matsushita, created for him individually, and in his capacity as president of GDI. CAREW did not disclose to investors, prior to accepting investment funds that no such agreement existed. CAREW failed to inform investors that their funds would be commingled and that investor funds would be used to pay other investors’ interest or principal payments. CAREW further failed to adequately advise investors of the actual risks of the investments.

The GENIUS, INC. investments offered and sold by BROOKS and CAREW, evidenced in part by the promissory notes and agreements, constitute “securities” pursuant to § 11-51-201(17) C.R.S., and as such, are subject to the provisions of the Colorado Securities Act.

**COUNT ONE**  
**Securities Fraud – F3**

About and between July 15, 2005, and August 31, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Andrew Moore and Michael Stradt directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count One of this Indictment was committed in the following manner:

1. BROOKS offered Andrew Moore and Michael Stradt an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Andrew Moore and Michael Stradt’s investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Andrew Moore and Michael Stradt decided to accept Brooks’ offer and about and between July 15, 2005, and August 31, 2007, provided BROOKS with approximately nine hundred sixty one thousand nine hundred sixty two dollars (\$961,962.00) in funds to purchase electronics and appliances in approximately thirty seven transactions. In return, BROOKS provided to Andrew Moore and Michael Stradt, in Colorado, a series of promissory notes signed by BROOKS and verbal agreements, promising a) to repay Andrew Moore and Michael Stradt’s principal at the termination of each agreement on the “Due Date,” and b) to pay interest on the invested principal at varying rates over the course of the agreements.
2. In connection with the sale of these securities to Andrew Moore and Michael Stradt, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT TWO**  
**(Securities Fraud – F3)**

About and between January 9, 2006, and January 5, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Eric Dupuis directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Two of this Indictment was committed in the following manner:

1. BROOKS offered Eric Dupuis an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Eric Dupuis' investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Eric Dupuis decided to accept Brooks' offer and about and between January 9, 2006, and January 5, 2007, provided BROOKS with approximately one hundred thirty thousand dollars (\$130,000.00) in funds to purchase electronics and appliances in approximately three transactions. In return, BROOKS from Colorado, made a series of verbal agreements promising a) to repay Eric Dupuis' principal at the termination of each agreement on the "Due Date," and b) to pay interest on the invested principal at varying rates over the course of the agreements.
2. In connection with the sale of these securities to Eric Dupuis, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT THREE**  
**(Securities Fraud – F3)**

About and between January 10, 2006, and October 3, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Robert Bell directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud

– Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Three of this Indictment was committed in the following manner:

1. BROOKS offered Robert Bell an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Robert Bell's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Robert Bell decided to accept Brooks' offer and about and between January 10, 2006, and October 3, 2007, provided BROOKS with approximately thirty four thousand dollars (\$34,000.00) in funds to purchase electronics and appliances in approximately five transactions. In return, BROOKS, in Colorado, made a series of verbal agreements promising: a) to repay Robert Bell's principal at the termination of each agreement on the "Due Date," and b) to pay interest on the invested principal at varying rates over the course of the agreements.
2. In connection with the sale of these securities to Robert Bell, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

#### **COUNT FOUR (Securities Fraud – F3)**

On or about September 13, 2006, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Brian Thielen directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Four of this Indictment was committed in the following manner:

1. BROOKS offered Brian Thielen an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Brian Thielen's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Brian Thielen decided to accept Brooks' offer and on or about September 13, 2006, provided

BROOKS with approximately thirty eight thousand dollars (\$38,000.00) in funds to purchase electronics and appliances. In return, BROOKS, in Colorado, promised to repay to repay Brian Thielen's principal plus interest at the termination of the agreement on the "Due Date."

2. In connection with the sale of these securities to Brian Thielen, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT FIVE**  
**(Securities Fraud – F3)**

On or about February 13, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to William Lisk directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Five of this Indictment was committed in the following manner:

1. BROOKS offered William Lisk an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that William Lisk's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. William Lisk decided to accept Brooks' offer and on or about February 13, 2007, provided BROOKS with approximately one hundred fifty thousand dollars (\$150,000.00) in funds to purchase electronics and appliances. In return, BROOKS provided to William Lisk, in Colorado, a written agreement signed by BROOKS, promising to repay William Lisk's principal plus interest at the termination of the agreement on the "Due Date."
2. In connection with the sale of these securities to William Lisk, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.



**COUNT SIX**  
**(Securities Fraud – F3)**

About and between February 15, 2007, and September 25, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Tim Yost directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Six of this Indictment was committed in the following manner:

1. BROOKS offered Tim Yost an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Tim Yost's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Tim Yost decided to accept Brooks' offer and about and between February 15, 2007, and September 25, 2007, provided BROOKS with approximately two hundred twenty thousand dollars (\$220,000.00) in funds to purchase electronics and appliances in approximately seven transactions. In return, BROOKS provided to Tim Yost, in Colorado, a series of agreements signed by BROOKS, promising: a) to repay Tim Yost's principal at the termination of each agreement on the "Due Date," and b) to pay interest on the invested principal at varying rates over the course of the agreements.
2. In connection with the sale of these securities to Tim Yost, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT SEVEN**  
**(Securities Fraud – F3)**

On or about February 16, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Susie Thielen directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided,

C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Seven of this Indictment was committed in the following manner:

1. BROOKS offered Susie Thielen an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Susie Thielen's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Susie Thielen decided to accept Brooks' offer and on or about February 16, 2007, provided BROOKS with approximately two hundred thousand dollars (\$200,000.00) in funds to purchase electronics and appliances. In return, BROOKS provided to Susie Thielen, in Colorado, an agreement signed by BROOKS, promising to repay Susie Thielen's principal plus interest at the termination of the agreement on the "Due Date."
2. In connection with the sale of these securities to Susie Thielen, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT EIGHT**  
**(Securities Fraud – F3)**

On or about July 17, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Michael and Beverly Johnson and Michael Johnson Jr., directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Eight of this Indictment was committed in the following manner:

1. BROOKS offered Michael and Beverly Johnson and Michael Johnson Jr. an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Michael and Beverly Johnson and Michael Johnson Jr.'s investment would be used to purchase electronics and appliances and would be repaid in full with

substantial interest payments within a short period of time. Michael and Beverly Johnson and Michael Johnson Jr. decided to accept Brooks' offer and on or about July 17, 2007, provided BROOKS with a total of approximately four hundred thirty thousand dollars (\$430,000.00) in funds to purchase electronics and appliances. In return, BROOKS provided to Michael and Beverly Johnson and Michael Johnson Jr., from Colorado, two agreements signed by BROOKS, promising: a) to repay Michael and Beverly Johnson and Michael Johnson Jr.'s principal at the termination of the agreements on the "Due Date," and b) to pay interest on the invested principal over the term of the agreements.

2. In connection with the sale of these securities to Michael and Beverly Johnson and Michael Johnson Jr., BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

### **COUNT NINE** **(Securities Fraud – F3)**

On or about July 30, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Bud Smead directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Nine of this Indictment was committed in the following manner:

1. BROOKS offered Bud Smead an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Bud Smead's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Bud Smead decided to accept Brooks' offer and on or about July 30, 2007, provided BROOKS with approximately one hundred thousand dollars (\$100,000.00) in funds to purchase electronics and appliances. In return, BROOKS provided to Bud Smead, in Colorado, an agreement signed by BROOKS, promising: a) to repay Bud Smead's principal at the termination of the agreement on the "Due Date," and b) to pay interest on the invested principal over the term of the agreement.

2. In connection with the sale of these securities to Bud Smead, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT TEN**  
**(Securities Fraud – F3)**

On or about October 26, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Peter Paulson directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Ten of this Indictment was committed in the following manner:

1. BROOKS offered Peter Paulson an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Peter Paulson's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Peter Paulson decided to accept Brooks' offer and on or about October 26, 2007, provided BROOKS with approximately six hundred fifty thousand dollars (\$650,000.00) in funds to purchase electronics and appliances. In return, BROOKS promised to return Peter Paulson's principal plus pay 35% interest in less than one month on the invested principal.
2. In connection with the sale of these securities to Peter Paulson, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT ELEVEN**  
**(Securities Fraud – F3)**

About and between November 9, 2007, and November 20, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Jacob and Peggy Eisel directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances

under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Eleven of this Indictment was committed in the following manner:

1. BROOKS offered Jacob and Peggy Eisel an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Jacob and Peggy Eisel's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Jacob and Peggy Eisel decided to accept Brooks' offer and about and between November 9, 2007, and November 20, 2007, provided BROOKS with approximately two hundred eighty thousand dollars (\$280,000.00) in funds to purchase electronics and appliances in approximately two transactions. In return, BROOKS provided to Jacob and Peggy Eisel, in Colorado, agreements signed by BROOKS, promising a) to repay Jacob and Peggy Eisel's principal at the termination of each agreement on the "Due Date," and b) to pay interest on the invested principal at varying rates over the course of the agreements.
2. In connection with the sale of these securities to Jacob and Peggy Eisel, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

### **COUNT TWELVE (Securities Fraud – F3)**

On or about April 11, 2008, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Kris and Crystal Stewart directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Twelve of this Indictment was committed in the following manner:

1. BROOKS offered Kris and Crystal Stewart an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and

BROOKS, individually. BROOKS represented that Kris and Crystal Stewart's investment would be used to secure electronics and would be repaid in full with a substantial interest payment within a short period of time. Kris and Crystal Stewart decided to accept Brooks' offer and on or about April 11, 2008, provided BROOKS with approximately six thousand dollars (\$6,000.00) in funds to secure the purchase of electronics. In return, BROOKS provided to Kris and Crystal Stewart, from Colorado, a promissory note signed by BROOKS, promising: a) to repay Kris and Crystal Stewart's principal at the termination of the agreement on the "Due Date," and b) to pay interest on the invested principal over the term of the agreement.

2. In connection with the sale of these securities to Kris and Crystal Stewart, BROOKS made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

### **COUNT THIRTEEN** **(Securities Fraud – F3)**

About and between June 6, 2005, and April 11, 2008, in and triable in the State of Colorado, Jason T. BROOKS in connection with the offer or sale of any security to Randolph Warner, Nancy Higgins, Andrew and Sharon Moore, Michael and Debra Stradt, Kevin and Warren Wendling, Max Kraus, Eric Dupuis, Robert Bell, James Wiegand, Vayah Terra, Brian Thielen, Janice Strunk, William Lisk, Tim Yost, Susie Thielen, Rich and Kari Bonavito, Michael A. Johnson, Beverly Johnson, Bud Smead, Peter Paulson, Jacob and Peggy Eisel, and Kris and Crystal Stewart, investors in Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado.

The offense in Count Thirteen of this Indictment was committed in the following manner:

1. For nearly three years, JASON T. BROOKS made numerous fraudulent sales of securities to investors while operating in Colorado. BROOKS solicited investors to invest in a fraudulent business venture and in some instances provided investors with a promissory note and agreement to evidence their investment. BROOKS never told investors of any risks associated with the investments. The vast majority of investments remain unpaid, only a few of the investors have received the total owed principal and interest from BROOKS. The money BROOKS distributed to investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements of

material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors.

2. BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for his business, Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Fourteen, each of which are hereby incorporated by reference.
3. Additionally, BROOKS solicited, in connection with this count, one or more of the following:
  - Randolph Warner and Nancy Higgins invested approximately thirty two thousand dollars (\$32,000.00) in approximately four transactions about and between June 6, 2005, and February 14, 2004.
  - Kevin and Warren Wendling invested approximately one hundred eighty nine thousand three hundred ninety two dollars (\$189,392.00) in approximately nine transactions about and between August 4, 2005 and August 15, 2007.
  - Max Kraus invested approximately forty thousand dollars (\$40,000.00) in approximately three transactions about and between December 19, 2005 and February 1, 2007.
  - James Wiegand invested approximately two hundred ten thousand dollars (\$210,000.00) in approximately three transactions about and between February 14, 2006 and March 30, 2006.
  - Janice Strunk invested approximately eighty five thousand dollars (\$85,000.00) in approximately two transactions about and between December 14, 2006 and January 29, 2007.
  - Rich and Kari Bonavito invested approximately one hundred thousand dollars (\$100,000.00) in one transaction on or about February 21, 2007.
4. In connection with the sale of securities to these investors, BROOKS made untrue statements of material fact, and failed to disclose material facts to the investors. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of

material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Twelve, each of which are hereby incorporated by reference.

**COUNT FOURTEEN**  
**(Securities Fraud – F3)**

On or about February 15, 2006, in and triable in the State of Colorado, Donald Scott Carew, in connection with the offer or sale of any security to Sara Jane Geraldini directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Fourteen of this Indictment was committed in the following manner:

1. CAREW offered Sara Jane Geraldini an opportunity to invest in the distribution of electronics and appliances through GENIUS DEALS, INC. and CAREW, individually. CAREW represented that Sara Jane Geraldini's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Sara Jane Geraldini decided to accept CAREW'S offer and on or about February 15, 2006, provided CAREW with approximately forty thousand dollars (\$40,000.00) in funds to purchase electronics and appliances. In return, CAREW provided to Sara Jane Geraldini, in Colorado, an agreement signed by CAREW, promising a) to repay Sara Jane Geraldini's principal at the termination of the agreement upon request of either party, and b) to pay monthly interest on the invested principal over the term of the agreement.
2. In connection with the sale of these securities to Sara Jane Geraldini, CAREW made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

**COUNT FIFTEEN**  
**(Securities Fraud – F3)**

About and between February 14, 2007, and May 24, 2007, in and triable in the State of Colorado, Donald Scott Carew, in connection with the offer or sale of any security to Claude Parker directly or indirectly, unlawfully, feloniously, and willfully made an



untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501(1)(b) and 11-51-603(1), as amended, (Securities Fraud – Class 3 Felony), against the peace and dignity of The People of the State of Colorado.

The offense in Count Fifteen of this Indictment was committed in the following manner:

1. CAREW offered Claude Parker an opportunity to invest in the distribution of electronics and appliances through GENIUS DEALS, INC. and CAREW, individually. CAREW represented that Claude Parker's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Claude Parker decided to accept CAREW'S offer and about and between February 14, 2007, and May 24, 2007, provided CAREW with approximately fifty five thousand dollars (\$55,000.00) in funds to purchase electronics and appliances. In return, CAREW provided to Claude Parker, in Colorado, one or more agreements signed by CAREW, promising a) to repay Claude Parker's principal at the termination of the agreement upon request of either party, and b) to pay monthly interest on the invested principal over the term of the agreement.
2. In connection with the sale of these securities to Claude Parker, CAREW made untrue statements of material fact, and failed to disclose material facts as described in the narrative of Essential Facts, which is hereby incorporated by reference.

### **COUNT SIXTEEN (Securities Fraud – F3)**

About and between January 2, 2006, and November 21, 2007, in and triable in the State of Colorado, Donald Scott Carew and Jason T. Brooks, in connection with the offer or sale of any security to Donald Carew and Donna Mellen, Joel Rice, Irene Carew, Stephen Rice, Sara Jane Geraldi, Eunice Parisi Carew, Shagbarks, Inc, Cynthia Darwent, Jeremy Convery, Judith Burke, Carol Euring, Robert Roehrig, Claude Parker, and Edward Waitkus, investors in Genius, Inc., and Genius Deals, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. For approximately twenty three months, CAREW and BROOKS made numerous fraudulent sales of securities to investors while operating in Colorado. CAREW and BROOKS solicited investors to invest in a fraudulent business venture and in some instances provided investors with a promissory note and agreement to evidence their investment. CAREW and BROOKS never told investors of the actual risks associated with the investments. The vast majority of investments remain unpaid, only a few of the investors have received the total owed principal and interest from CAREW and BROOKS. The money CAREW and BROOKS distributed to investors as “interest payments” and “principal” consisted almost entirely of investor funds. CAREW and BROOKS made numerous untrue statements of material facts to induce investors to invest with him. CAREW and BROOKS also failed to disclose material information to investors.
2. CAREW and BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments from Sara Jane Geraldine and Claude Parker for the businesses of GDI and Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. CAREW and BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by CAREW and BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Seventeen, each of which are hereby incorporated by reference.
3. Additionally, CAREW and BROOKS solicited, in connection with this count, one or more of the following:
  - Donald Carew and Donna Mellen, invested approximately four hundred one thousand two hundred fifty dollars (\$401,250.00) in approximately twelve transactions about and between January 2, 2006, and July 9, 2007.
  - Joel Rice invested approximately fifty thousand dollars (\$50,000.00) in approximately three transactions about and between January 2, 2006 and May 29, 2007.
  - Irene Carew invested approximately one hundred twenty eight thousand dollars (\$128,000.00) in approximately four transactions about and between January 3, 2006 and November 29, 2006.
  - Stephen Rice invested approximately two hundred thousand dollars (\$200,000.00) in approximately three transactions about and between January 8, 2006 and May 30, 2006.

- Eunice Parisi Carew invested approximately sixty thousand dollars (\$60,000.00) in approximately two transactions about and between April 21, 2006 and August 7, 2006.
  - Shareholders and trustees in Shagbarks, Inc invested approximately seven hundred thirty eight thousand five hundred dollars (\$738,500.00) in approximately ten transactions about and between July 26, 2006 and November 21, 2007.
  - Cynthia Darwent invested approximately ten thousand dollars (\$10,000.00) in one transaction on or about July 31, 2006.
  - Jeremy Convery invested approximately ninety one thousand three hundred eighty five dollars and fifty three cents (\$91,385.53) in approximately three transactions about and between October 4, 2006 and June 27, 2007.
  - Judith Burke invested approximately twenty thousand dollars (\$20,000.00) in one transaction on or about November 29, 2006.
  - Carol Euring invested approximately twenty thousand dollars (\$20,000.00) in one transaction on or about November 30, 2006.
  - Robert Roehrig invested approximately twenty five thousand dollars (\$25,000) in one transaction on or about December 1, 2006.
  - Edward Waitkus invested approximately two hundred ninety five thousand dollars (\$295,000.00) in approximately seven transactions about and between December 21, 2005, and May 30, 2007.
4. In connection with the sale of securities to these investors, CAREW and BROOKS made untrue statements of material fact, and failed to disclose material facts to the investors. The circumstances surrounding the sales, acts, practices and course of business engaged in by CAREW and BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Fifteen, each of which are hereby incorporated by reference.

**COUNT SEVENTEEN**  
**(Securities Fraud – F3)**

About and between June 2, 2006, and November 13, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to James Alm and Janet Johnson, James Gray, Mary and William Kaempher, Jana Simpson, Sara Simpson, Meredith Gray, and Jeni Arneson, investors in Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. For approximately seventeen months, BROOKS made numerous fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by employing and inducing individual agents including John McCaskill to solicit, individually and through and with BROOKS, investors for BROOKS' fraudulent business venture. In some instances investors were provided with a promissory note and agreement to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. These investments remain unpaid; none of these investors have received the total owed principal and interest from BROOKS. The money BROOKS distributed to investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.
2. BROOKS solicited, directly and indirectly, in connection with this count, one or more of the following:
  - James Alm and Janet Johnson invested approximately five thousand dollars (\$5,000.00) in approximately one transaction on or about June 2, 2006.
  - James Gray invested approximately eighteen thousand dollars (\$18,000.00) in approximately three transactions about and between June 5, 2006 and October 19, 2006.
  - Mary and William Kaempher invested approximately thirty three thousand dollars (\$33,000.00) in approximately five transactions about and between June 5, 2006 and November 13, 2007.

- Jana Simpson invested approximately one hundred thousand dollars (\$100,000.00) in approximately two transactions about and between June 29, 2007 and August 29, 2007.
  - Sara Simpson invested approximately twenty thousand dollars (\$20,000.00) in approximately one transaction on or about August 31, 2007.
  - Meredith Gray invested approximately five thousand dollars (\$5,000.00) in approximately one transaction on or about November 8, 2007.
  - Jeni Arneson invested approximately fifty thousand dollars (\$50,000.00) in approximately one transaction on or about November 13, 2007.
3. In connection with the sale of securities to these investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Sixteen, each of which are hereby incorporated by reference.

### **COUNT EIGHTEEN** **(Securities Fraud – F3)**

About and between August 1, 2006, and November 1, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Jason and Stefani Greathouse, Cynthia Halloway, Michael and Stephanie Visser, Chris Shaw and Jeanne McMinn, Jason Mitchell, Michael Laptalo, and Melanie and Scott Berger, investors in Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. For approximately fifteen months, BROOKS made numerous fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by employing and inducing individual agents including Ryan Magrum to solicit, individually and

through and with BROOKS, investors for BROOKS' fraudulent business venture. In some instances investors were provided with one or more written agreements to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. The majority of these investments remain unpaid. The money BROOKS distributed to these investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.

2. BROOKS solicited, directly and indirectly, in connection with this count, one or more of the following:
  - Jason and Stefani Greathouse invested approximately one million fourteen thousand nine hundred dollars (\$1,014,900.00) in approximately eight transactions about and between August 1, 2006 and September 20, 2007.
  - Cynthia Halloway invested approximately eleven thousand two hundred dollars (\$11,200.00) in approximately two transactions about and between December 7, 2006 and May 11, 2007.
  - Michael and Stephanie Visser invested approximately seven hundred fifty thousand dollars (\$750,000.00) in approximately five transactions about and between February 28, 2007 and September 25, 2007.
  - Chris Shaw and Jeanne McMinn invested approximately ninety thousand dollars (\$90,000.00) in approximately two transactions about and between May 31, 2007 and October 2, 2007.
  - Jason Mitchell invested approximately two hundred thousand dollars (\$200,000.00) in approximately two transactions about and between July 26, 2007 and September 14, 2007.
  - Michael Laptalo invested approximately six hundred thousand dollars (\$600,000.00) in approximately two transactions about and between October 30, 2007 and November 1, 2007
  - Melanie and Scott Berger invested approximately twenty thousand dollars (\$20,000.00) in approximately one transaction on or about April 27, 2007.
3. In connection with the sale of securities to these investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also

failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Seventeen, each of which are hereby incorporated by reference.

**COUNT NINETEEN**  
**(Securities Fraud – F3)**

About and between June 25, 2007, and July 31, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Galo Pacheco and Josie Bostwick, investors in Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS made fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by inducing and employing individual agents including Nate Whitney to solicit, individually and through and with BROOKS, investors for BROOKS' fraudulent business venture. In some instances investors were provided with agreements to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. These investments remain unpaid; these investors have not received the total owed principal and interest from BROOKS. The money BROOKS distributed to investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements and representations of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.
2. BROOKS solicited, directly and indirectly, in connection with this count, one or more of the following:
  - Galo Pacheco invested approximately thirty thousand dollars (\$30,000.00) in approximately one transaction about on or about June 25, 2007.
  - Josie Bostwick invested approximately forty five thousand dollars (\$45,000.00) in approximately one transaction on or about July 31, 2007.

3. In connection with the sale of securities to these investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Eighteen, each of which are hereby incorporated by reference.

**COUNT TWENTY**  
**(Securities Fraud – F3)**

About and between July 11, 2007, and October 26, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Brandon LeBay, Ramona Brunick, and Laura Eurich, investors in Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS made fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by employing and inducing individual agents including Ryan Berger to solicit, individually and through and with BROOKS, investors for BROOKS' fraudulent business venture. In some instances investors were provided with one or more written agreements to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. These investments remain unpaid; these investors have not received the total owed principal and interest from BROOKS. The money BROOKS distributed to investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements and representations of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.
2. BROOKS solicited, directly and indirectly, in connection with this count, one or more of the following:
  - Brandon LeBay invested approximately one hundred forty thousand dollars (\$140,000.00) in approximately three transactions about and between July 11, 2007, and October 26, 2007



- Ramona Brunick invested approximately twenty thousand dollars (\$20,000.00) in approximately one transaction on or about October 26, 2007.
  - Laura Kathryn Eurich invested approximately thirty five thousand dollars (\$35,000.00) in approximately one transaction on or about October 26, 2007.
3. In connection with the sale of securities to these investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Nineteen, each of which are hereby incorporated by reference.

### **COUNT TWENTY ONE (Securities Fraud – F3)**

About and between October 15, 2007, and December 3, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Jed Kenzy, Nick and Charlotte Duncan, Carole Kay, and Ciely Gray, investors in Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS made fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by employing and inducing individual agents including Michael Trede to solicit, individually and through and with BROOKS, investors for BROOKS' fraudulent business venture. In some instances investors were provided with one or more written agreements to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. These investments remain unpaid; these investors have not received the total owed principal and interest from BROOKS. The money BROOKS distributed to investors as "interest payments" and "principal"

consisted almost entirely of investor funds. BROOKS made numerous untrue statements and representations of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.

2. BROOKS solicited, directly and indirectly, in connection with this count, one or more of the following:
  - Jed Kenzy and Michael Trede invested approximately over one hundred twenty thousand dollars (\$100,000.00) in approximately four transactions about and between October 15, 2007 and November 28, 2007.
  - Nick and Charlotte Duncan invested approximately seventy thousand dollars (\$70,000.00) in approximately two transactions about and between October 31, 2007, and November 27, 2007.
  - Carole Kay invested approximately one hundred twenty thousand dollars (\$120,000.00) in approximately two transactions about and between November 21, 2007, and December 3, 2007.
  - Ciely Gray invested approximately one hundred eighty thousand dollars (\$180,000.00) in approximately two transactions about and between November 29, 2007, and November 30, 2007.
3. In connection with the sale of securities to these investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Twenty, each of which are hereby incorporated by reference.

### **COUNT TWENTY TWO (Securities Fraud – F3)**

On or about November 30, 2007, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Brad Lewis, an investor in Jason T Brooks individually and Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the

statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS made fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by employing and inducing individual agents including Dan Wallmo to solicit, individually and through and with BROOKS, investors for BROOKS' fraudulent business venture. BROOKS never told this investor of the actual risks associated with the investment. This investment remains unpaid and overdue. The investor has not received the total owed principal and interest from BROOKS. The money BROOKS distributed to other investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements and representations of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.
2. BROOKS solicited, directly and indirectly, Brad Lewis in connection with this count offering him, through Dan Wallmo, an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Brad Lewis's investment would be used to purchase electronics and appliances and would be repaid in full with substantial interest payments within a short period of time. Brad Lewis decided to accept Brooks' offer and on or about November 30, 2007, provided BROOKS with approximately ninety thousand dollars (\$90,000.00) in funds to purchase electronics and appliances. In return, BROOKS promised: a) to repay Brad Lewis's principal at the termination of the agreement on the "Due Date," and b) to pay interest on the invested principal over the term of the agreement.
3. In connection with the sale of securities to this investor, BROOKS engaged in an act, practice and course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Twenty One, each of which are hereby incorporated by reference.

**COUNT TWENTY THREE**  
**(Securities Fraud – F3)**

On or about February 22, 2008, in and triable in the State of Colorado, Jason T. Brooks, in connection with the offer or sale of any security to Ann Khabbaz, an investor in Jason T Brooks individually and Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS made fraudulent sales of securities to investors while operating in Colorado. BROOKS directly and indirectly solicited investors through various means, and by employing and inducing individual agents including Edward O'Connor to solicit, individually and through and with BROOKS, investors for BROOKS' fraudulent business venture. BROOKS never told this investor of the actual risks associated with the investment. This investment remains unpaid and overdue. The investor has not received the total owed principal and interest from BROOKS. The money BROOKS distributed to other investors as "interest payments" and "principal" consisted almost entirely of investor funds. BROOKS made numerous untrue statements and representations of material facts to induce investors to invest with him. BROOKS also failed to disclose material information to investors and agents.
2. BROOKS solicited, directly and indirectly, Ann M. Khabbaz in connection with this count offering her, through Edward O'Connor, an opportunity to invest in the distribution of electronics and appliances through GENIUS, INC. and BROOKS, individually. BROOKS represented that Ann Khabbaz's investment would be used to secure a purchase of electronics and would be repaid in full with substantial interest within a short period of time. Ann Khabbaz decided to accept BROOKS' offer and on or about February 22, 2008, provided BROOKS with approximately thirty three thousand seven hundred dollars (\$33,700.00) in funds to secure the purchase of electronics. In return, BROOKS promised to: a) to repay Ann Khabbaz's principal at the termination of the agreement on the "Due Date," and b) to pay interest on the invested principal over the term of the agreement.
3. In connection with the sale of securities to this investor, BROOKS engaged in an act, practice and course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds in the represented manner. BROOKS also failed to secure the purchase of electronics with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and

failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Twenty Two, each of which are hereby incorporated by reference.

**COUNT TWENTY FOUR**  
**(Securities Fraud – F3)**

About and between January 2, 2006, and April 11, 2008, in and triable in the State of Colorado, Jason T. BROOKS in connection with the offer or sale of any security to out-of-state investors in Jason T. Brooks individually and Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS solicited investors to invest in the fraudulent business activity of Genius, Inc. and BROOKS, individually, and provided some investors with promissory notes and agreements to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. Most of the investments are past due, and remain, in whole or in part, unpaid.
2. In connection with the fraudulent sale of these securities, BROOKS conducted business from his residences, located in the state of Colorado. In furtherance of the commission of this offense, BROOKS used the bank accounts of Amanda Smead and opened several bank accounts in both his name and in the name of Genius, Inc. located in the state of Colorado about and between January 2, 2006, and April 11, 2008. BROOKS had out-of-state investors deposit the funds, directly through wire transfer, or otherwise, into the various Colorado bank accounts used by BROOKS.
3. The investments BROOKS solicited directly or indirectly, in connection with this count, about and between January 2, 2006, and April 11, 2008, include one or more of the following:
  - Eric Dupuis of Davie, Florida invested approximately one hundred thirty thousand dollars (\$130,000.00) in approximately three transactions about and between January 9, 2006 and January 5, 2007.
  - Rich and Kari Bonavito of Walnut Creek, California invested approximately one hundred thousand dollars (\$100,000.00) on or about February 21, 2007.

- Michael and Beverly Johnson of Ft. St. Lucy, Florida invested approximately one hundred thirty thousand dollars (\$130,000.00) on or about July 17, 2007.
- Peter Paulson of Orinda, California invested approximately six hundred fifty thousand dollars (\$650,000.00) on or about October 26, 2007.
- Kris and Crystal Stewart of Plano, Texas invested approximately six thousand dollars (\$6,000.00) on or about April 11, 2008.
- Donald Carew and Donna Mellen of Leveret, Massachusetts invested approximately one hundred thirty thousand dollars (\$130,000.00) in approximately three transactions about and between January 9, 2006 and January 5, 2007.
- Irene Carew of Amherst, Massachusetts invested approximately four hundred one thousand two hundred fifty dollars (\$401,250.00) in approximately twelve transactions about and between January 2, 2006, and July 9, 2007.
- Stephen Rice of Shutesbury, Massachusetts invested approximately two hundred thousand dollars (\$200,000.00) in approximately three transactions about and between January 8, 2006 and May 30, 2006.
- Eunice Parisi Carew of Escondido, California invested approximately sixty thousand dollars (\$60,000.00) in approximately two transactions about and between April 21, 2006 and August 7, 2006.
- Shareholders and trustees in Shagbarks, Inc., a real estate concern located in Hiawasse, Georgia invested approximately seven hundred thirty eight thousand five hundred dollars (\$738,500.00) in approximately ten transactions about and between July 26, 2006 and November 21, 2007.
- Cynthia Darwent of Mount Pleasant, South Carolina invested approximately ten thousand dollars (\$10,000.00) on or about July 31, 2006.
- Judith Burke of Northampton, Massachusetts invested approximately twenty thousand dollars (\$20,000.00) on or about November 29, 2006.
- Carol Euring of Mattituck, New York invested approximately twenty thousand dollars (\$20,000.00) in one transaction on or about November 30, 2006.

- Robert Roehrig of Fond Du Lac, Wisconsin invested approximately twenty five thousand dollars (\$25,000) in one transaction on or about December 1, 2006.
- James Alm and Janet Johnson of Atlanta, Georgia invested approximately five thousand dollars (\$5,000.00) on or about June 2, 2006.
- James Gray of Minneapolis, Minnesota invested approximately eighteen thousand dollars (\$18,000.00) in approximately three transactions about and between June 5, 2006 and October 19, 2006.
- Meredith Gray of New York New York invested approximately five thousand dollars (\$5,000.00) on or about November 8, 2007.
- Jason and Stefani Greathouse of Roswell, New Mexico invested approximately one million fourteen thousand nine hundred dollars (\$1,014,900.00) in approximately eight transactions about and between August 1, 2006 and September 20, 2007.
- Cynthia Halloway of Stamford, Connecticut invested approximately eleven thousand two hundred dollars (\$11,200.00) in approximately two transactions about and between December 7, 2006 and May 11, 2007.
- Michael and Stephanie Visser of Roswell, New Mexico invested approximately seven hundred fifty thousand dollars (\$750,000.00) in approximately five transactions about and between February 28, 2007 and September 25, 2007.
- Chris Shaw and Jeanne McMinn of McKinney, Texas invested approximately ninety thousand dollars (\$90,000.00) in approximately two transactions about and between May 31, 2007 and October 2, 2007.
- Jason Mitchell of Scottsdale, Arizona invested approximately two hundred thousand dollars (\$200,000.00) in approximately two transactions about and between July 26, 2007 and September 14, 2007.
- Michael Laptalo of San Jose, California invested approximately six hundred thousand dollars (\$600,000.00) in approximately two transactions about and between October 30, 2007 and November 1, 2007.
- Melanie and Scott Berger of Titusville, Florida invested approximately twenty thousand dollars (\$20,000.00) on or about April 27, 2007

- Galo Pacheco of Porter Ranch, California invested approximately thirty thousand dollars (\$30,000.00) on or about June 25, 2007.
  - Josie Bostwick of Atlanta, Georgia invested approximately forty five thousand dollars (\$45,000.00) on or about July 31, 2007.
  - Ramona Brunick of Melbourne, Florida invested approximately twenty thousand dollars (\$20,000.00) on or about October 26, 2007.
  - Brandon LeBay of Columbus, Ohio invested approximately one hundred forty thousand dollars (\$140,000.00) in approximately three transactions about and between July 11, 2007, and October 26, 2007.
  - Ciely Ti Gray of Firday Harbor, Washington invested approximately one hundred eighty thousand dollars (\$180,000.00) in approximately two transactions about and between November 29, 2007, and November 30, 2007.
  - Nick and Charlotte Duncan of San Diego, California invested approximately seventy thousand dollars (\$70,000.00) in approximately two transactions about and between October 31, 2007, and November 27, 2007.
  - Tyler Sedar of San Antonio, Texas invested approximately ten thousand dollars (\$10,000.00) on or about June 12, 2007.
  - John McVay of St. Thomas, Virgin Islands invested approximately ten thousand dollars (\$10,000.00) on or about June 29, 2007.
  - Thomas and Katherine Langan Kosturos of Orinda, California invested approximately fifty thousand dollars (\$50,000.00) on or about September 19, 2007.
4. In connection with the sale of these securities to these out-of-state investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Twenty Three, each of which are hereby incorporated by reference.
  5. These investors never received the entire principal and interest as promised.



**COUNT TWENTY FIVE**  
**(Securities Fraud – F3)**

About and between June 6, 2005, and February 22, 2008, in and triable in the State of Colorado, Jason T. BROOKS in connection with the offer or sale of any security to in-state investors in Jason T. Brooks individually and Genius, Inc., directly or indirectly, unlawfully, feloniously, and knowingly engaged in any course of business which operated or would operate as a fraud or deceit upon any person, contrary to the form of the statutes in such case made and provided, C.R.S. §§11-51-501 (1) (c) and 11-51-603 (1), as amended, and against the peace and dignity of The People of the State of Colorado, and as more fully set out below:

1. BROOKS solicited investors to invest in the fraudulent business activity of Genius, Inc. and provided investors a promissory note and agreement to evidence their investment. BROOKS never told investors of the actual risks associated with the investments. Most of the investments are past due, and remain, in whole or in part, unpaid.
2. In connection with the fraudulent sale of these securities, BROOKS conducted business from his residences, located in the state of Colorado. In furtherance of the commission of this offense, BROOKS used the bank accounts of Amanda Smead and opened several bank accounts in both his name and in the name of Genius, Inc. located in the state of Colorado about and between June 6, 2005, and February 22, 2008. BROOKS had in-state investors deposit the funds, directly through wire transfer, or otherwise, into the various Colorado bank accounts used by BROOKS.
3. The investments BROOKS solicited directly or indirectly, in connection with this count, about and between June 6, 2005, and February 22, 2008, include one or more of the following:
  - Randolph Warner and Nancy Higgins invested approximately thirty two thousand dollars (\$32,000.00) in approximately four transactions about and between June 6, 2005, and February 14, 2006.
  - Andrew and Sharon Moore invested approximately three hundred three thousand six hundred fifty dollars (\$303,650.00) in approximately eighteen transactions about and between July 15, 2005 and August 31, 2007.
  - Michael and Debra Stradt invested approximately six hundred fifty eight thousand three hundred twelve dollars and forty three cents (\$658,312.43) in approximately nineteen transactions about and between July 15, 2005 and August 29, 2007.

- Kevin and Warren Wendling invested approximately one hundred eighty nine thousand three hundred ninety two dollars (\$189,392.00) in approximately nine transactions about and between August 4, 2005 and August 15, 2007.
- Max Kraus invested approximately forty thousand dollars (\$40,000.00) in approximately three transactions about and between December 19, 2005 and February 1, 2007.
- Robert Bell invested approximately thirty four thousand dollars (\$34,000.00) in approximately five transactions about and between January 10, 2006 and October 3, 2007.
- James Wiegand invested approximately two hundred ten thousand dollars (\$210,000.00) in approximately three transactions about and between February 14, 2006, and March 30, 2006.
- Vayah Terra invested approximately one hundred thousand dollars (\$100,000.00) on or about September 11, 2006.
- Brian Thielen invested approximately thirty eight thousand dollars (\$38,000.00) on or about September 13, 2006.
- Janice Strunk invested approximately eighty five thousand dollars (\$85,000.00) in approximately two transactions about and between December 14, 2006 and January 29, 2007.
- William Lisk invested approximately one hundred fifty thousand dollars (\$150,000.00) on or about February 13, 2007.
- Tim Yost invested approximately two hundred twenty thousand dollars (\$220,000.00) in approximately seven transactions about and between February 15, 2007, and September 25, 2007.
- Susie Thielen invested approximately two hundred thousand dollars (\$200,000.00) on or about February 16, 2007.
- Bud Smead invested approximately one hundred thousand dollars (\$100,000) on or about July 30, 2007.
- Jacob and Peggy Eisel invested approximately two hundred eighty thousand dollars (\$280,000.00) in approximately two transactions about and between November 9, 2007, and November 20, 2007.

- Joel Rice invested approximately fifty thousand dollars (\$50,000.00) in approximately three transactions about and between January 2, 2006, and May 29, 2007.
- Sara Jane Geraldi invested approximately forty thousand dollars (\$40,000.00) on or about February 15, 2006.
- Jeremy Convery invested approximately ninety one thousand three hundred eighty five dollars and fifty three cents (\$91,385.53) in approximately three transactions about and between October 4, 2006, and June 27, 2007.
- Claude Parker invested approximately fifty five thousand dollars (\$55,000.00) in approximately three transactions about and between February 14, 2007, and May 24, 2007.
- Edward Waitkus invested approximately two hundred ninety five thousand dollars (\$295,000.00) in approximately seven transactions about and between December 21, 2005 and May 30, 2007.
- Mary and William Kaempher invested approximately thirty three thousand dollars (\$33,000.00) in approximately five transactions about and between June 5, 2006, and November 13, 2007.
- Jana Simpson invested approximately one hundred thousand dollars (\$100,000.00) in approximately two transactions about and between June 29, 2007, and August 29, 2007.
- Sara Simpson invested approximately twenty thousand dollars (\$20,000.00) on or about August 31, 2007.
- Jeni Arneson invested approximately fifty thousand dollars (\$50,000.00) on or about November 13, 2007.
- Laura Kathryn Eurich invested approximately thirty five thousand dollars (\$35,000.00) on or about October 26, 2007.
- Jed Kenzy invested approximately one hundred twenty thousand dollars (\$120,000.00) in approximately four transactions about and between October 15, 2007, and November 28, 2007.
- Carole Kay invested approximately one hundred twenty thousand dollars (\$120,000.00) in approximately two transactions about and between November 21, 2007, and December 3, 2007.

- Ann Khabbaz invested approximately thirty three thousand seven hundred dollars (\$33,700.00) on or about February 22, 2008.
  - William Litton, by and on behalf of the Litton Family Trust, invested approximately fifty thousand dollars (\$50,000.00) on or about April 24, 2006.
  - Brian Cook invested approximately forty thousand dollars (\$40,000.00) on or about February 16, 2007.
  - Dan and Cynthia Wallmo invested approximately fifty four thousand three hundred seventy nine dollars and fifty cents (\$54,379.50) in approximately two transactions about and between March 16, 2007, and July 11, 2007.
4. In connection with the sale of these securities to these in-state investors, BROOKS engaged in a course of business which operated as a fraud, in part, by accepting investments for the businesses of Genius, Inc. and failing to transfer the funds to the Matsushita Corporation in the represented manner. BROOKS also failed to purchase electronics or appliances with the majority of funds which were invested. The circumstances surrounding the sales, acts, practices and course of business engaged in by BROOKS, including the untrue statements of material fact and failure to disclose, are described in the narrative of Essential Facts, and the paragraphs following Counts One through Twenty Four, each of which are hereby incorporated by reference.
  5. While some investors received profits on their investments; collectively, these investors did not receive the entire principal and interest as promised.

### **COUNT TWENTY SIX** **(Theft – F3)**

About and between December 24, 2007, and December 31, 2007, in and triable in the State of Colorado, Jason T. BROOKS individually and through Genius, Inc. did unlawfully, feloniously and knowingly obtain or exercise control over a thing of value, to wit: MONEY, which was the property of JP Morgan Chase Bank, by deception, and did knowingly use, conceal and abandon the money in such manner as to deprive the investors in Genius, Inc. permanently of its use and benefit, and the value of said MONEY was more than twenty thousand dollars contrary to the form of the statute in such case made and provided, C.R.S. §§18-4-401(1)(b) and (2)(d), (Class 3 Felony) and against the peace and dignity of the People of the State of Colorado, and as more fully set forth below:

1. About and between December 24, 2007 and December 31, 2007, BROOKS made six separate transactions for approximately one hundred forty nine thousand dollars (\$149,000.00) using his Citibank checking account #0918918741 held in his name. The transactions consist of checks and deposits through Automated Teller Machines (ATMs). BROOKS knew this Citibank account did not have sufficient funds to cover the transactions. BROOKS had not, at any time prior or subsequent to execution of the checks, deposited sufficient funds into the Citibank account so that the checks could be honored. Each of the six transactions was to the benefit of Genius, Inc., and created the appearance that funds were deposited into BROOKS' JP Morgan Chase Bank account #634669947. The individual checks written include the following:
  - Check number 102 in the amount of nine thousand dollars (\$9,000.00).
  - Check number 103 in the amount of forty five thousand dollars (\$45,000).
  - Check number 104 in the amount of twenty five thousand dollars (\$25,000.00)
  - Check number 105 in the amount of forty thousand dollars (\$40,000.00)
2. In connection with the fraudulent deposits through these transactions BROOKS immediately withdrew the funds from the JP Chase Morgan account to pay investors in Genius, Inc.
3. The offense in Count Twenty Seven is further set forth in the narrative of Essential Facts as well as the preceding counts, each of which is incorporated herein by this reference.

AS TO COUNT ONE:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWO:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT THREE:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT FOUR:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT FIVE:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT SIX:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT SEVEN:  
A TRUE BILL

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Foreperson

AS TO COUNT EIGHT:  
A TRUE BILL

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Foreperson

AS TO COUNT NINE:  
A TRUE BILL

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Foreperson

AS TO COUNT TEN:  
A TRUE BILL

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Foreperson

AS TO COUNT ELEVEN:  
A TRUE BILL

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Foreperson

AS TO COUNT TWELVE:  
A TRUE BILL

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Foreperson

AS TO COUNT THIRTEEN:  
A TRUE BILL

A NO TRUE BILL

A NO TRUE BILL

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Foreperson

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Foreperson

A NO TRUE BILL

Foreperson

AS TO COUNT FOURTEEN:  
A TRUE BILL

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Foreperson

AS TO COUNT FIFTEEN:  
A TRUE BILL

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Foreperson

AS TO COUNT SIXTEEN:  
A TRUE BILL

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Foreperson

AS TO COUNT SEVENTEEN:  
A TRUE BILL

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Foreperson

AS TO COUNT EIGHTEEN:  
A TRUE BILL

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Foreperson

AS TO COUNT NINETEEN:  
A TRUE BILL

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Foreperson

Foreperson

A NO TRUE BILL

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Foreperson

A NO TRUE BILL

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A NO TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson



AS TO COUNT TWENTY:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWENTY ONE:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWENTY TWO:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWENTY THREE:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWENTY FOUR:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWENTY FIVE:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

AS TO COUNT TWENTY SIX:  
A TRUE BILL

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Foreperson

A NO TRUE BILL

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Foreperson

I, \_\_\_\_\_, the Foreperson of the 2008-2009 Colorado State Grand Jury, do hereby swear and affirm that each and every True Bill returned in this indictment by the 2008-2009 Colorado State Grand Jury was arrived at after deliberation and with the assent and agreement to the existence of probable cause by at least nine members of the Colorado State Grand Jury. The Colorado State Grand Jury further authorizes and instructs the Colorado Attorney General to return this indictment to open court with or without the presence of the foreperson.

\_\_\_\_\_  
Foreperson

Subscribed to before me in the City and County of Denver, State of Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

JOHN W. SUTHERS  
ATTORNEY GENERAL  
STATE OF COLORADO

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Michael J. Bellipanni, #24421  
Assistant Attorney General  
Criminal Justice Section

The 2008-2009 Colorado Statewide Grand Jury presents the within Indictment,  
and the same is hereby ORDERED FILED this \_\_\_\_\_ day of  
\_\_\_\_\_ 2009.

Pursuant to § 13-73-107, C.R.S., the Court designates \_\_\_\_\_  
County, Colorado as the county of venue for the purposes of trial.

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Judge